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October 4, 2012

Dr. Judith Golden  
Superintendent of Schools  
East Hampton Board of Education  
94 Main Street  
East Hampton, CT 06424

Re: Summary of Administrators' Tentative Agreement

Dear Dr. Golden:

As requested, this is a summary of the tentative agreement with the East Hampton School Administrators' Association which was made on September 26, 2012. This was a reopener for the third year of the current contract (2013-2014) and only addressed salary and health insurance. The Association accepted the HDHP-HSA as the only health insurance plan with an 8% cost share in exchange for the general wage increase of 2.9% per year plus increment (.25%). Dental cost share will be 12%, which is the current average cost share paid by the unit. The anticipated health insurance savings with regard to the switch to the HDHP-HSA are explained in the attached Direct Cost Impact statement.

Very truly yours,  
/s/  
Susan L. Scott

Encl.

**DIRECT COST IMPACT**  
 2012 Tentative Agreement for the Reopener between  
 EAST HAMPTON BOARD OF EDUCATION  
 and  
 EAST HAMPTON SCHOOL ADMINISTRATORS' ASSOCIATION

The direct cost impact estimates the increased costs and/or (savings) to the Board in actual dollars due to the changes to the collective bargaining agreement. The Reopener addressed only salary and insurance provisions for the third year of the current collective bargaining agreement expiring on June 30, 2014. Total net cost is provided for the 2013-14 year of the contract in actual dollars and as a percentage of the prior year's salary account.

**Compensation for 2013-14**

2012-2013 Salary Account	\$ 970,349.00
General Wage Increase	\$ 28,140.00
Increment	\$ 2,359.00
<b><u>TOTAL COST:</u></b>	<b><u>\$ 30,499.00</u></b>

**Health Insurance**

Currently, half of the administrators participate in the PPO plan (16% cost share) and half in the HDHP-HSA (6% cost share). The current health insurance premium for 2013-2014 is \$147,466.00 with the cost to the Board of \$129,846.00. As a result of the negotiations for 2013-14, the administrators may only participate in the HDHP-HSA with an increased cost share of 8%. The Board does not pay anything toward the employees' deductibles. Using a cost trend of 12% and the utilization rate as of July 1, 2012<sup>1</sup>, projected insurance savings by changing the health insurance benefit are as follows:

	<u>Premium Cost to the Board</u>
2013-2014 PPO and HDHP-HSA	\$145,428.00
2013-2014 HDHP-HSA only	\$130,494.00
<b><u>SAVINGS DUE TO COST AVOIDANCE:</u></b>	<b><u>(\$ 14,934.00)</u></b>

**Total Net Cost of New Contract After Insurance Offsets: \$16,213.00**  
 (total cost of compensation, \$30,499.00, minus the net savings to the board of \$14,286.00)  
**Total Net Cost as a % of the previous year's salary account: 1.67%**

<sup>1</sup> Insurance data and cost projections provided by Ovation Benefits

2<sup>ND</sup> DRAFT

TOWN OF EAST HAMPTON

Chapter \_\_\_\_\_ - Offenses and Miscellaneous Provisions

BLIGHT AND NUISANCE ORDINANCE

**Sec. 1 Purpose**

The purpose of this ordinance is to define, prohibit, and abate blight and nuisances and to protect, preserve, and promote public health, safety, and welfare; and to preserve and protect property values.

**Sec. 2 Scope of Provisions**

This ordinance shall apply uniformly to the maintenance of all residential, nonresidential, and undeveloped premises now in existence or hereafter constructed, maintained, or modified but shall exclude agricultural lands as defined in Section 22-3(b) of the Connecticut General Statutes, land dedicated as public or semi-public open space or preserved in its natural state through conservation easements, or areas designated as inland wetlands and watercourses.

**Sec. 3 Definitions**

The following definitions shall apply in the interpretation and enforcement of this ordinance.

**BLIGHTED PREMISES**-Any building, structure, or parcel of land, except exempt property as defined below, in which at least one of the following conditions exists:

- A. It is dilapidated as documented by the building official;
- B. It is a fire hazard as determined by the fire marshal or as documented by the fire department;
- C. It is determined by the building official or the health department that the condition of the building, structure, or parcel of land poses a serious or immediate danger to the safety, health, or general welfare of the community;
- D. It is not being maintained in accordance to the State of Connecticut Building Code (2005);
- E. It is a factor creating a substantial interference with the reasonable and lawful use and enjoyment of abutting premises or which blocks or interferes with the use of any public sidewalk and/or Private Street or right-of-way or any road sign.

**DEBRIS** - Material which is incapable of immediately performing the function for which it was designed, including, but not limited to: abandoned, discarded, or unused objects; junk comprised of machinery equipment or vehicles, automobiles, boats and recreational vehicles which are unregistered, missing parts, not complete in appearance and/or in an obvious state of disrepair; parts of vehicles; furniture, appliances, and tires which are in the public view

**DILAPIDATED** – Shall mean no longer adequate for the purpose or use for which it was intended or having fallen into partial or total ruin or decay.

**EXEMPT PROPERTY** - Any building or structure undergoing legal demolition, construction, remodeling, restoration, repair, or renovation permitted by the town, provided that the blighted condition will be corrected within the time established by the appropriate town official and further provided that the building or structure remains in compliance with required permits as issued by the Town of East Hampton.

#### **Sec. 4 Nuisance**

No person, firm, corporation, or other legal entity shall cause, allow or maintain any blighted premises, as defined in the preceding section, to be created or continued on any real property located within the Town of East Hampton. Any exempt property, as defined in the preceding section, shall not be considered a blighted premises, and therefore, not subject to the provision hereof.

#### **Sec. 5 Minimum Standards**

- a) The provisions in this ordinance shall not be construed to prevent the enforcement of other statutes, codes, ordinances, or regulations which prescribe standards other than those provided in this ordinance.
- b) In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance, regulation, or other code of the town or state, the provision which establishes the higher standard for the promotion and protection of the public health and safety, and property values shall prevail.
- c) This ordinance shall not affect violations of any other ordinances, codes, or regulations existing prior to the effective date of this code, and any such violations may be governed and continue to be punishable under the provisions of those ordinances, codes, or regulations in effect at the time the violation was committed.

#### **Sec. 6 Responsibility for Compliance**

Any owner, lessee, or occupant of premises subject to this ordinance, may be jointly and severally obligated to comply with the provisions of this ordinance.

#### **Sec. 7 Notice of Violations**

- a) Complaints may be submitted to the Building Official by members of the public. Such complaints must be in writing and signed.
- b) Whenever the Building Official determines that there has been violations of any provision of this ordinance such official shall give notice of such violation to the person responsible therefore, as hereinafter provided. Such notice shall:
  - 1) Be in writing;
  - 2) Set forth the violations of this ordinance;
  - 3) Specify a final date for the correction of any violation;
  - 4) Be served upon the owner, lessee, or the occupant as the case may require; provided, such notice shall be deemed to be properly served upon such owner, lessee, or upon such occupant, if a copy thereof is posted in a conspicuous place in or about the dwelling affected by this notice; or if such person is served with such notice by any other method authorized or required under the laws of this state;

- 5) Contain an outline of remedial action which, if taken, will effect permanent compliance with the provisions of this ordinance; and
- 6) State that the penalties and enforcement provisions of this ordinance will become effective on the final date set for the correction of any violation.

## **Sec. 8 Penalties and Enforcement**

### **a) Penalties**

- 1) Each violation of this ordinance shall be considered a separate municipal offense.
- 2) Each day any violation continues shall constitute a separate offense.
- 3) Each separate offense under this ordinance may be punishable by a fine of one hundred dollars (\$100.00) payable to the Town of East Hampton.

### **b) Enforcement**

- 1) The building official in the Town Of East Hampton is authorized to issue a citation or summons for a violation of this ordinance.
- 2) If a citation is issued, further proceedings shall be in accord with the provisions of the Town's Citation Hearing Procedure Ordinance, as may be revised from time to time.
- 3) In addition thereto, the Town of East Hampton; is authorized to initiate legal proceedings in the superior court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs including costs of remedial action(s) authorized by the court and reasonable attorneys' fees incurred by the Town of East Hampton to enforce this ordinance and should not preclude the Towns ability to recover or save from immediate damage.

All fines, court costs, costs of remedial action, and attorneys' fees, as ordered by the court, shall constitute a lien on the subject premises, as provided by CGS Section 7-148aa.

**TOWN OF EAST HAMPTON  
RESOLUTION**

Pavement rehabilitation of approximately 2200 feet of Brewer Road from Mott Hill Road to White Birch Road.

WHEREAS, the town of East Hampton has published a news release, mailed a copy of the news release to required officials and agencies, and mailed a preliminary notification letter to abutting property and business owners and tenants, announcing a proposed transportation project known as BREWER ROAD PAVEMENT REHABILITATION; and

WHEREAS, a public comment period was given from October 23, 2012 to November 6, 2012 which allowed interested parties to voice their concerns; and

WHEREAS, the preliminary engineering phase will be funded exclusively by the town of East Hampton and the construction phase will be funded utilizing 80% Federal funds and 20% municipal funds; and

WHEREAS, the Lower Connecticut River Valley Council of Governments (formerly the Midstate Regional Planning Agency) has selected this project as a regional priority and to utilize federal funds for construction activities; and

WHEREAS; the Chairman of the Town Council has considered the concerns of the residents from the public comment period and finds that the proposed BREWER ROAD PAVEMENT REHABILITATION is in the best interest of the town of East Hampton, and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the traveling public.

WHEREAS; the town of East Hampton, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project;

NOW, THEREFORE, BE IT RESOLVED, that the town of East Hampton hereby supports the STP Urban Transportation Project titled BREWER ROAD PAVEMENT REHABILITATION and hereby commits to funding the municipal share.

Dated at East Hampton, Connecticut this 13<sup>th</sup> day of November, 2012.

EAST HAMPTON TOWN COUNCIL

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Susan Weintraub, Chairperson

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Glenn Suprono, Vice Chairperson

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Kyle Dostaler

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Theodore Hintz, Jr.

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Derek Johnson

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Barbara Moore

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George Pfaffenbach

**TOWN OF EAST HAMPTON  
RESOLUTION**

Replacement of culverts conveying Christopher Brook under North Main Street.

WHEREAS, the town of East Hampton has published a news release, mailed a copy of the news release to required officials and agencies, and mailed a preliminary notification letter to abutting property and business owners and tenants, announcing a proposed transportation project known as CHRISTOPHER BROOK CULVERT REPLACEMENT UNDER NORTH MAIN STREET; and

WHEREAS, a public comment period was given from October 23, 2012 to November 6, 2012 which allowed interested parties to voice their concerns; and

WHEREAS, the preliminary engineering phase will be funded utilizing 80% Federal funds, 10% State funds and 10% municipal funds and the construction phase will be funded utilizing 80% Federal funds, 10% State funds and 10% municipal funds; and

WHEREAS, the Lower Connecticut River Valley Council of Governments (formerly the Midstate Regional Planning Agency) has selected this project as a regional priority and to utilize federal funds for construction activities; and

WHEREAS; the Chairman of the Town Council has considered the concerns of the residents from the public comment period and finds that the proposed CHRISTOPHER BROOK CULVERT REPLACEMENT UNDER NORTH MAIN STREET is in the best interest of the town of East Hampton, and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the traveling public.

WHEREAS; the town of East Hampton, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project;

NOW, THEREFORE, BE IT RESOLVED, that the town of East Hampton hereby supports the STP Urban Transportation Project titled CHRISTOPHER BROOK CULVERT REPLACEMENT UNDER NORTH MAIN STREET and hereby commits to funding the municipal share.

Dated at East Hampton, Connecticut this 13<sup>th</sup> day of November, 2012.

EAST HAMPTON TOWN COUNCIL

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Susan Weintraub, Chairperson

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Glenn Suprono, Vice Chairperson

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Kyle Dostaler

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Theodore Hintz, Jr.

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Derek Johnson

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Barbara Moore

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George Pfaffenbach

## ***Clean Energy Task Force Resolution***

**Whereas:** The Town of East Hampton wishes to investigate opportunities for implementing energy efficiency measures in all aspects of East Hampton governmental operations; including operational changes, changes in maintenance or capital improvements, and forward recommendations to the appropriate municipal governing body.

**Whereas:** The Town of East Hampton wishes to take advantage of Federal and State incentives and grants as they relate to energy efficiency programs and clean energy usage.

**Whereas:** The Town of East Hampton wishes to take advantage of unique opportunities and resources within its boundaries for providing clean renewable energy to help fulfill local energy needs.

**Whereas:** The Town of East Hampton wishes to identify cost effective forms of energy with the intent to use any savings for clean energy initiatives.

**Be it resolved** the Town of East Hampton hereby creates a Clean Energy Task Force which shall be comprised of five (5) members of the public who have acquired and will maintain knowledge of energy markets, clean energy initiatives and new clean energy technologies. Members shall be appointed by the Town Council in consultation with the Town Manager as follows: two (2) members for initial one (1) year terms and three (3) members for two (2) year terms. Thereafter, all terms shall be for a period of two years.

**Be it resolved** on this 13<sup>th</sup> day of November, 2012, the Town of East Hampton charges the Clean Energy Task Force to research and facilitate the use of clean renewable energy including the most appropriate and cost-effective for its given function. Furthermore, The Town requires the Task Force to educate East Hampton residents about the clean & alternative energy options. The Task Force shall seek alternative and additional funding sources to further their goals as outlined.

### EAST HAMPTON TOWN COUNCIL

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Susan Weintraub, Chairperson

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Glenn Suprono, Vice Chairperson

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Kyle Dostaler

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Derek Johnson

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Barbara Moore

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George Pfaffenbach

**TOWN OF EAST HAMPTON  
AGENDA REPORT**

Agenda Item #: 8b

Item to be presented by: Jeff Jylkka

DATE: November 13, 2012

SUBJECT: 2011-2012 End of Year Transfers

DEPARTMENT: General Government

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**BACKGROUND**

Annually, as the Town is nearing completion of the annual audit staff prepares transfers in order to zero out any departmental budget deficits. The transfers are an indication of a government's budget practices and principles. These transfers also serve as a communication tool to the legislative body indicating what department(s) overspent their annual appropriation.

The Board of Finance at their October 15, 2012 meeting recommended that Town Council approve the attached 2011-2012 year end budget transfers.

See attached for detail.

**RECOMMENDED MOTION**

Resolved that the Town Council approve the attached budget transfers for the 2011-2012 fiscal year.

**ALTERNATIVE ACTIONS**

Not to approve the appropriation or amend.

**FISCAL IMPACT**

There is no fiscal impact. This is a budget adjustment only.

Department	ORG	Object #	Object Name	Transfer From/To	Comment
<b>TRANSFER FROM</b>					
1 Town Council	01020000	5330	Professional/Tech. Services	3,700	Fees for town Manager less than budgeted
2 Tax Collector	01060136	5120	Part Time/Seasonal Salaries	10,840	Vacant part-time position
3 Finance Department	01060135	5590	Other Purchased Services	3,521	Funds for grant writer not used
4 Tax Assessor	01060137	5120	Part Time/Seasonal Salaries	3,353	Vacant part-time position
5 Tax Assessor	01060137	5590	Other Purchased Services	2,529	Reduction in field inspector services
6 Town Clerk	01070000	5316	Computer Consulting Services	2,000	Work not needed
7 Registrars	01080000	5550	Printing/Binding	4,615	Assumed one additional referendum and one recount
8 Registrars	01080000	5590	Other Purchased Services	3,980	Assumed one additional referendum and one recount
9 General Insurance	01090000	5260	Worker's Compensation	9,671	Favorable rates
10 Employee Benefits	01110000	5250	Unemployment Compensation	9,699	Former employee off unemployment
11 Conservation & Lake	01430000	5330	Professional/Tech. Services	10,529	Planned spending on professional for lake postponed
12 Public Works - Admin.	01510000	5220	Social Security	1,804	Mild winter - tied to Public Works overtime
13 Public Works - Town Garage	01530000	5620	Heating Oil	1,910	Mild winter
14 Motor Fuel	01540000	5627	Motor Fuel	4,440	Mild winter
15 Community Center	01670000	5622	Electricity	9,000	Energy conservation project
16 Community Center	01670000	5620	Heating Oil	3,800	Mild winter
<b>TOTAL</b>				<b>85,391</b>	
<b>TRANSFER TO</b>					
17 Legal Fees	01040000	5330	Professional/Tech. Services	49,309	Above average activity
18 Board of Assessment Appeals	01060138	5130	Overtime Salaries	431	
19 Probate	01100000	5446	Probate District #14	379	
20 Police - Admin	01210211	5330	Professional/Tech. Services	9,851	Daigle I.A. report
21 Police - Patrol	01210212	5130	Overtime Salaries	1,618	Officer injuries
22 Animal Control	01210214	5120	Part Time/Seasonal Salaries	8,700	Original budget was not sufficient to cover costs
23 Fire Marshal	01220223	5120	Part Time/Seasonal Salaries	1,035	Bevin Bell fire
24 Community Services	01350000	5410	Public Utilities	400	
25 Building Department	01410000	5130	Overtime Salaries	1,757	Overtime as a result of an employee on leave
26 Building Department	01410000	5590	Other Purchased Services	2,895	Employee on leave. Temp assistance needed
27 Engineering	01520000	5330	Professional/Tech. Services	9,006	Christopher Brook culvert replacement
28 Septage Disposal	01570000	5410	Public Utilities	10	
<b>TOTAL</b>				<b>85,391</b>	

The above transfer is needed in order to zero out departmental deficits for the fiscal year end 2011-2012. This transfer also serves as additional communication to the Board of Finance and Town Council as to the operational areas in the budget that were over and under spent.

APPROVED:  
BOARD OF FINANCE: 10-15-2012

TOWN COUNCIL:

**TOWN OF EAST HAMPTON  
AGENDA REPORT**

Agenda Item #: 8C

Item to be presented by: Jeff Jylkka

DATE: November 13, 2012

SUBJECT: Board of Education 2011-2012 Additional Appropriation (Special Education Excess Cost Grant)

DEPARTMENT: Education

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**BACKGROUND**

The above additional appropriation is needed to cover additional costs relating to special education tuition and related services. Annually, the State of CT reimburses the Board of Education for these additional costs. The Town does not budget for the revenue and the Board of Education does not budget for the related expenditures. Annually, the amount of the grant is re-appropriated back to the Board of Education. The accounting/budgeting for this revenue is consistent with previous years and has no affect on actual revenues or expenditures, as this is a budget only adjustment. The Board of Finance recommended that Town Council approve the additional appropriation at their October 15, 2012 meeting.

**RECOMMENDED MOTION**

Resolved, that the Town Council approve the additional appropriation below from state grant revenue.

**Estimated Revenue**

State Agency Placement Excess Cost	01962510-4404	\$ 464,501
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**Appropriation**

REGULAR INSTRUCTION-SPEC ED - Tuition		
Private	01951000-5563	\$ 464,501

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**Source of Funds**

State of Connecticut Excess Cost Agency Placement Grant. The BOE received a total of \$464,501 during the 11-12 fiscal year.

**ALTERNATIVE ACTIONS**

Not to approve the appropriation.

**FISCAL IMPACT**

There is no fiscal impact. This is a budget adjustment only.

**Emergency Preparedness Fund Transfer Proposal**

Emergency Management Project Scope	
Wiring (3 school transfer switches \$20,000 ea)	\$60,000
Mobile Generator (150,000 watts) *	\$84,000
Stationary Generator and Wiring for Senior Center/ Library(estimate for 50,000 watts) *	\$60,000
LED Messaging System *	\$8,900
5% Contingency	\$11,100
<b>Total</b>	<b>\$224,000</b>

\* Used and Demo items will be sought before purchasing new. The price presented is for new equipment

**TOWN OF EAST HAMPTON  
 AGENDA REPORT**

Item to be presented by: Jeff Jylkka  
 Finance Director

DATE: October 23, 2012  
 SUBJECT: Fiscal Year 2011-2012 Capital Reserve Fund Transfer  
 DEPARTMENT: Capital Reserve Fund

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**BACKGROUND**

It is anticipated that the General Fund will have an overall surplus of approximately \$796K. This surplus is a product of unspent budgets and revenues that were in excess of estimates. Overall expenditures for the Town are estimated to be underspent by \$480K. The Board of Education will be returning slightly over \$4K. The major driving factors for the Towns surplus were the mild winter, staff vacancies and not having to utilize the contingency account (see below).

Revenues exceeded estimates by \$312K. The main drivers for this were the receipt of the FEMA storm reimbursement grant of \$70K and better than average tax and interest collections \$249K. The surplus can be calculated as follows:

	Amount (In thousands)
Expenditure surplus:	
Town	\$480
Board of Education	4
Revenue surplus	312
<b>TOTAL</b>	<b>\$796</b>

While a surplus is not unique to the Town, this surplus affords us the opportunity to address capital needs that have been discussed among staff and local leaders. Last year the Town addressed a much needed radio upgrade with surplus funds.

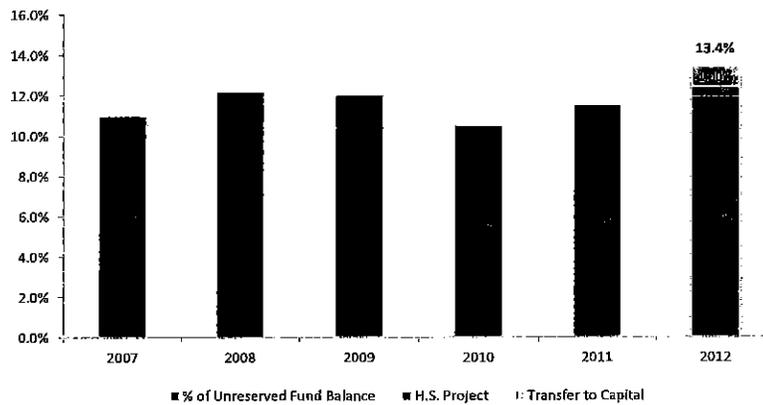
The Board of Finance and Town Council may choose to move surplus *expenditure* funds to the Capital Reserve Fund. If the funds are not transferred then the money simply goes into fund balance and can be accessed through the additional appropriation process in the future.

The following accounts have been identified to be transferred to the Capital Reserve Fund below:

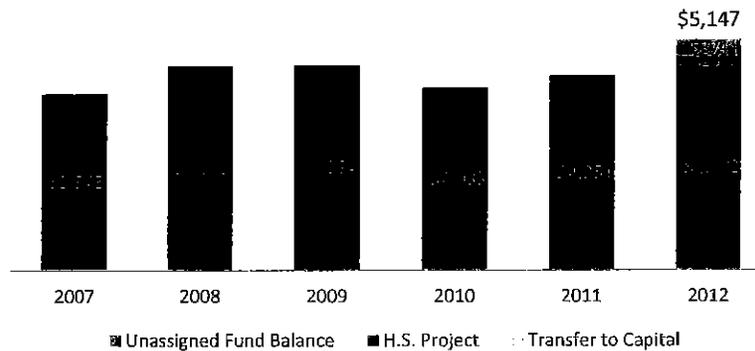
• Contingency	\$100,000
• Health Insurance	\$100,000 (Employee vacancies and better than budgeted rates)
• Town Manager	\$36,000 (Town Manager vacancy)
• Public Works (Overtime)	\$42,000 (Very light winter)
• Debt Service – Interest	\$49,400 (Issued notes to finance Memorial School project in 2013 rather than 2012)
• Road Materials	\$13,990 (Very light winter)
• Library	\$16,000 (Staff vacancy)
• Refuse Removal	\$17,100 (Less refuse generated)
<b>TOTAL</b>	<b>\$374,490</b>

If approved, our 2011-2012 General Fund net income will be approximately \$422K, or close to half of the total surplus. Fund balance before the transfer will be approx. 13.4% of the 12-13 budget and 12.4% after. There is also a \$200,080 additional appropriation request for the High School Renovation project that, if approved, will reduce the fund balance to 11.9%. A fund balance history is below:

**Fund Balance as a % of Next Year Budgeted Expenditures**



**Fund Balance  
(In thousands)**



The Board of Finance at their October 15, 2012 meeting recommended that \$374,490 be transferred to the Capital Reserve Fund (#50) to be allocated to the following projects: 1) \$150,000 Debt sinking; 2) \$224,490 Emergency Preparedness/Disaster Recovery. They also recommended that the specifics of the Emergency Preparedness / Disaster Recovery project be recommended by the Board of Finance and approved by Town Council prior to any funds being expended.

**RECOMMENDED ACTION**

Resolved, that the Town Council, approve the budget transfer of \$374,490 from the accounts identified below to the Capital Reserve Fund (#50). Further resolved, that the transfer be allocated to the following projects: 1) \$150,000 Debt sinking; 2) \$224,490 Emergency Preparedness/Disaster Recovery. Further resolved, that the specifics of the Emergency Preparedness/Disaster Recovery project be recommended by the Board of Finance and approved by Town Council prior to any funds being expended.

**TRANSFER FROM**

01110000	5210	Employee Benefits	Medical Insurance	\$ 100,000
01120000	5990	Contingency	Contingency	100,000
01720722	5830	Debt	Interest	49,400
01510000	5130	Public Works	Overtime Salaries	42,000
01010000	5110	Town Manager	Full Time Salaries	36,000
01680681	5110	Library	Full Time Salaries	16,000
01550000	5690	Road Materials	Other Supplies/Materials	13,990
01560000	5435	Transfer Station	Refuse Removal	7,600
01560000	5440	Transfer Station	Rental	5,400
01560000	5130	Transfer Station	Overtime Salaries	4,100
				<b>\$ 374,490</b>

**TRANSFER TO**

<b>01810000</b>	<b>5924</b>	<b>Capital reserve</b>		<b>\$ 374,490</b>
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**ALTERNATIVE ACTIONS**

- Not approve the transfer. Funds would become part of fund balance and would be accessible through the additional appropriation process or the annual budget.
- Modify the amount to be allocated to a particular project. The total amount transferred should not exceed the \$374,490.
- Recommend the transfer as presented be approved at Town Meeting. The following language would be required:

FURTHER RESOLVED, that the Town Council hereby authorizes the Chairman of the Town Council to call a Special Town Meeting to be held on Thursday, November 1<sup>st</sup>, 2012 at the East Hampton High School, in East Hampton, at 7:00 p.m., to act upon the foregoing recommendations.

**FISCAL IMPACT**

Funding is from unspent budgets in the 2011-2012 fiscal year. The transfer would reduce total fund balance by \$374,490.

**TOWN OF EAST HAMPTON  
AGENDA REPORT**

Agenda Item: 9b.

Item to be presented by: VFS

DATE: November 7, 2012

SUBJECT: FIRST READING  
Adoption of Article XV, *Fats, Oils and Grease Pretreatment* under Chapter 264 of the Town Sewer Use Ordinances

DEPARTMENT: WPCA

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**RECOMMENDED ACTION** - to review the propose amendment to the Town Sewer Use Ordinance, as recommended by the WPCA at a regular scheduled meeting of November 6, 2012. To schedule a Public Hearing per Chapter Section 2.5 with notification in the requisite local newspaper. After such Public Hearing the Town Council can adopt the Ordinance (4 affirmative votes required per Chapter Section 2.3). Upon passage of the Ordinance it is then advertised in a local paper and the Ordinance can be effective as soon as 20 days following publication.

**BACKGROUND** – In 2005 the then Connecticut Department of Environmental Protection issued the “General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments”. This permit issued under the authority of Section 22a-430b of the State’s General Statues required the installation of grease trap/interceptor units at Class III & IV food establishments by July 1, 2011. The purpose of the permit was two fold; first, to maintain compliance of the effluent discharge associated with the Town of Colchester - Town of East Hampton Wastewater Treatment Plant and second, to protect the environment by preventing raw sewage overflows and backups as a result of the improper disposal of fats, oil and grease from food preparation facilities from entering Connecticut waterways.

In conjunction with the Chatham Health District work was begun in the spring of 2012. Using DEP guidance documents, model amendments from other Water Pollution Control Authorities, the services of Attorney Jean D’Aquila and comments from numerous sources work was recently completed. The WPCA approved the amendment and recommended that Town’s Sewer Use Ordinance, Chapter 264, be supplemented with Article XV, *Fats, Oils and Grease Pretreatment* substantially in the form presented at this meeting.

**ALTERNATIVE ACTIONS** – none, failure to adopt the proposed amendments may place the Town of Colchester -Town of East Hampton Wastewater Treatment Plant in violation of the “General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments”.

**FISCAL IMPACT** – none, all costs associated with this amendment have been borne by the WPCA and compliance costs are the responsibility of the property owner.



**AGENDA ITEM 7.A**  
**WPCA meeting of November 6, 2012**

**Article XV. Fats, Oils, and Grease Pretreatment**  
**[Adopted \_\_\_\_\_]**

**Section 1. Purpose.**

The purpose of this Article is to outline the wastewater pretreatment requirements for Food Preparation Establishments and other commercial facilities that discharge fats, oils, and grease in their wastewater flow. All new and existing facilities that generate and discharge fats, oils, and grease in their wastewater flow shall install, operate, and maintain a FOG pretreatment system. The requirements of this ordinance shall supplement and be in addition to the other requirements of the Town's Sewer Use Ordinance.

**Section 2. Definitions.**

**CONTACT PERSON** - The Contact Person shall mean the individual responsible for overseeing daily operation of the Food Preparation Establishment and who is responsible for overseeing the Food Preparation Establishment's compliance with the FOG Pretreatment Program. For purposes of this Ordinance, the CONTACT PERSON means the Property Owner's representative.

**FOG - FATS, OILS, AND GREASE** - Animal and plant derived substances that may solidify or become viscous between the temperatures of 32°F and 150°F (0°C to 65°C), and that separate from wastewater by gravity. Any edible substance identified as grease per the most current EPA method as listed in 40-CFR 136.3.

**FOG INTERCEPTOR** - A passive tank installed outside a building and designed to remove fats, oils, and grease from flowing wastewater while allowing wastewater to flow through it, and as further defined herein.

**FOG RECOVERY UNIT** - All active indoor mechanical systems designed to remove fats, oil, and grease by physical separation from flowing wastewater, as further defined herein.

**FOG PRETREATMENT SYSTEM** - Refers to properly installed and operated FOG Interceptors and FOG Recovery Units as approved by the Water Pollution Control Authority.

**FOOD PREPARATION ESTABLISHMENTS** - means Class III and Class IV food service establishments and any other facility determined by the Chatham Health District.

**NON-RENDERABLE FATS, OILS, AND GREASE** – Non-renderable fats, oils, and grease is food grade grease that has become contaminated with sewage, detergents, or other constituents that make it unacceptable for rendering.

**NOTIFICATION OF APPROVED ALTERNATE FOG PRETREATMENT SYSTEM** - Written notification from the Water Pollution Control Authority for authorization to install and/or operate an alternate FOG Pretreatment System.

RENDERABLE FATS, OILS, AND GREASE – Renderable fats, oils, and grease is material that can be recovered and sent to renderers for recycling into various usable products. Renderable grease is created from spent products collected at the source, such as frying oils and grease from restaurants. This material is also called yellow grease.

RENDERABLE FATS, OILS, AND GREASE CONTAINER - Refers to a closed, leak proof of container for the collection and storage of food grade fats, oil, and grease.

REGIONAL FOG DISPOSAL FACILITY - A facility for the collection and disposal of non-renderable FOG approved by the Connecticut Department of Environmental Protection.

### **Section 3. Application to Install a FOG Pretreatment System.**

A. FOG Pretreatment Systems shall be provided for:

(1) All new and existing Food Preparation Establishments, including restaurants, cafeterias, diners, and similar non-industrial facilities using food preparation processes that have the potential to generate FOG in wastewater at concentrations in excess of the limits defined in this ordinance.

(2) New and existing facilities which, in the opinion of the Water Pollution Control Authority, require FOG Pretreatment Systems for the proper handling of wastewater containing fats, oils, or grease, except that such FOG Pretreatment Systems shall not be required for private living quarters or dwelling units.

B. All new Food Preparation Establishments which generate and discharge wastewater containing fats, oils, and grease and which will require a FOG Pretreatment System, as determined by the Water Pollution Control Authority shall include the design and specifications for the FOG Pretreatment System as part of the sewer connection application as described in the Town of East Hampton Sewer Use Ordinance.

C. All existing Food Preparation Establishments which generate, and discharge wastewater containing fats, oils, and grease, are required to have a FOG Pretreatment System, as determined by the Water Pollution Control Authority.

D. All costs and related expenses associated with the installation and connection of the FOG Interceptor(s) shall be borne by the Food Preparation Establishment. The Food Preparation Establishment shall indemnify the Water Pollution Control Authority and the Town of East Hampton and their Agents for any loss or damage that may directly or indirectly occur due to the installation of the FOG Pretreatment System.

### **Section 4. Discharge Limits.**

A. No facility shall discharge or cause to be discharged any wastewater with a FOG concentration in excess of one hundred (100) milligrams per liter, as determined by the currently approved test for total recoverable fats and grease listed in 40 CFR 136.3, or in concentrations or in quantities which will harm either the sewers, or Water Pollution Control Facility, as determined by the Water Pollution Control Authority.

## **Section 5. Pretreatment System Requirements.**

A. An application for the design and installation of a FOG Pretreatment System shall be subject to review and approval by the Water Pollution Control Authority per the Town of East Hampton's Sewer Use Ordinance, and subject to the requirements of all other applicable codes, ordinances, and laws. In approving said application, the Water Pollution Control Authority shall set forth the following in writing: the frequency of required pump-outs by a licensed septic hauler; other compliance criteria subject to inspection; an advisory to the applicant that periodic inspections may be performed by the Chatham Health District at the expense of the Contact Person or property owner; and an advisory to the applicant that failure to comply with these requirements may result in non-renewal by the Chatham Health District of a food license application.

B. Except as provided by Section 6, the wastewater generated from Food Preparation Establishments shall be treated to remove FOG using a FOG Interceptor.

C. Every structure at the subject facility shall be constructed, operated, and maintained, in a manner to ensure that the discharge of food preparation wastewater is directed solely to the FOG Interceptor, or Alternate FOG Pretreatment System. No valve or bypass piping that could prevent the discharge of food preparation wastewater from entering appropriate pretreatment equipment shall be present.

D. The Contact Person at each Food Preparation Establishment shall notify the Water Pollution Control Authority when the FOG Pretreatment System is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Water Pollution Control Authority.

E. All applicable local plumbing/building codes shall be followed during the installation of the FOG Pretreatment System.

### **F. FOG Interceptor Requirements.**

(1) The FOG Interceptor shall be installed on a separate building sewer servicing kitchen flows and shall only be connected to those fixtures or drains which can allow fats, oils, and grease to be discharged into the sewer. This shall include:

- (a) Pot sinks;
- (b) Pre-rinse sinks, or dishwashers without pre-rinse sinks;
- (c) Any sink into which fats, oils, or grease may be introduced;
- (d) Soup kettles or similar devices;
- (e) Wok stations;
- (f) Floor drains or sinks into which kettles may be drained;
- (g) Automatic hood wash units;
- (h) Dishwashers without pre-rinse sinks; and
- (i) Any other fixtures or drains that can allow fats, oils, and grease to be discharged into the sewer.

(2) No pipe carrying any wastewater other than from those listed in the Paragraph above shall be connected to the FOG Interceptor.

- (3) No food grinder shall discharge to the FOG Interceptor.
- (4) The FOG Interceptor shall be located so as to maintain the separating distances from well water supplies set forth in Section 19-13-B51d of the Public Health Code.
- (5) The following minimum-separating distances shall be maintained between the FOG Interceptor and the items listed below.
  - (a) Property line 10 ft
  - (b) Building served (no footing drains) 15 ft
  - (c) Ground water intercepting drains, footing drains and storm 25 ft drainage systems
  - (d) Open watercourse 50 ft
- (6) The FOG Interceptor shall have a retention time of at least twenty-four (24) hours at the maximum daily flow based on water meter records or other calculation methods as approved by the Water Pollution Control Authority. The FOG Interceptor minimum capacity shall be 1,000 gallons. FOG Interceptors shall have a minimum of two compartments. The two compartments shall be separated by a baffle that extends from the bottom of the FOG interceptor to a minimum of five (5) inches above the static water level. An opening in the baffle shall be located at mid-water level. The size of the opening shall be at least eight (8) inches in diameter but not have an area exceeding 180 square inches.
- (7) FOG Interceptor shall be watertight and constructed of precast concrete, or other durable material.
- (8) FOG Interceptors constructed of precast concrete, shall meet the following requirements:
  - (a) The exterior of the FOG Interceptor, including the exterior top and bottom and extension to grade manholes, shall be coated with a waterproof sealant.
  - (b) All concrete FOG Interceptors shall be fabricated using minimum 4,000-psi concrete per ASTM standards with 4 to 7 percent air entrainment.
  - (c) All structural seams shall be grouted with non-shrinking cement or similar material and coated with a waterproof sealant.
  - (d) Voids between the FOG Interceptors walls and inlet and outlet piping shall be grouted with non-shrinking cement and coated with a waterproof sealant.
- (9) Only concrete septic tanks will be approved for use by the Water Pollution Control Authority.
- (10) The FOG Interceptor shall be accessible for convenient inspection and maintenance. No structures shall be placed directly upon or over the FOG Interceptor.
- (11) The FOG Interceptor shall be installed on a level stable base that has been mechanically compacted with a minimum of six (6) inches of crushed stone to prevent uneven settling.
- (12) Select backfill shall be placed and compacted around the FOG Interceptor in a manner to prevent damage to the tank and to prevent movement caused by frost action.

(13) The outlet discharge line from the FOG Interceptor shall be directly connected to the municipal sanitary sewer.

(14) The FOG Interceptor shall have a minimum liquid depth of thirty-six (36) inches.

(15) Separate clean-outs shall be provided on the inlet and outlet piping.

(16) The FOG Interceptor shall have separate manholes with extensions to grade, above the inlet and outlet piping. FOG Interceptors installed in areas subject to traffic shall have manhole extensions to grade with ductile iron frames and round manhole covers. The word "SEWER" shall be cast into the manholes covers. FOG Interceptors installed outside areas subject to traffic may have concrete risers with lids either having a minimum weight of 59 lbs or shall be provided with a lock system to prevent unauthorized entrance. All manholes and extensions to grade providing accesses to the FOG Interceptor shall be at least seventeen (17) inches in diameter.

(17) Inlet and outlet piping shall have a minimum diameter of four (4) inches and be constructed of schedule 40 PVC meeting ASTM 1785 with solvent weld couplings.

(18) The inlet and outlet shall each utilize a tee-pipe on the interior of the FOG Interceptor. No caps or plugs shall be installed on the tee-pipes. The inlet and outlet shall be located at the centerline of the FOG Interceptor and at least twelve (12) inches above the maximum ground water elevation. The inlet tee shall extend to within 12 inches of the bottom of the FOG Interceptor. The inlet invert elevation shall be at least three (3) inches above the invert elevation of the outlet but not greater than four (4) inches. The outlet tee-pipe shall extend no closer than twelve (12) inches from the bottom of the FOG Interceptor and the diameter of this teepipe shall be a minimum of four (4) inches.

(19) The diameter of the outlet discharge line shall be at least the size of the inlet pipe and in no event less than four (4) inches.

(20) When necessary due to installation concerns, testing for leakage will be performed using either a vacuum test or water-pressure test.

(1) Vacuum Test - Seal the empty tank and apply a vacuum to two (2) inches of mercury. The tank is approved if 90 percent of the vacuum is held for two (2) minutes.

(2) Water-Pressure Test - Seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is approved if the water level is held for one (1) hour.

(21) Inspections of FOG Interceptors may be conducted by the Chatham Health District at the expense of the Contact Person or property owner and in accordance with all criteria set forth by the Water Pollution Control Authority in approving the application for the system.

### **Section 6. Alternate FOG Pretreatment System.**

A. When it is not practical for the Food Preparation Establishment to install an outdoor in ground FOG Interceptor per Section 5, a FOG Recovery Unit meeting the requirements of Section 6(C) below may be utilized upon approval by the Water Pollution Control Authority. Approval of the system shall be based on demonstrated (proven) removal efficiencies and

reliability of operation. The Water Pollution Control Authority will approve these systems on a case-by-case basis. The Contact Person may be required to furnish the manufacturer's analytical data demonstrating that FOG discharge concentrations do not exceed the limits established in this ordinance. In granting an application for an alternate system, the Water Pollution Control Authority shall set forth in writing: the frequency of required pump-outs by a licensed septic hauler; other compliance criteria subject to inspection; an advisory to the applicant that periodic inspections may be performed by the Chatham Health District at the expense of the Contact Person or property owner; and an advisory to the applicant that failure to comply with these requirements may result in non-renewal by the Chatham Health District of a food license application.

B. A FOG Recovery Unit shall meet the requirements of Sections 5(A) through 5(E) and Sections 5(F)(2) and 5(F)(3) and shall be installed immediately downstream of each of the fixtures and drains listed in Section 5(F)(1).

C. FOG Recovery Unit.

(1) FOG Recovery Units shall be sized to properly pre-treat the measured or calculated flows using methods approved by the Water Pollution Control Authority.

(2) FOG Recovery Units shall be constructed of corrosion-resistant material such as stainless steel or plastic.

(3) Solids shall be intercepted and separated from the effluent flow using a strainer mechanism that is integral to the unit.

(4) FOG Recovery Units shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated FOG. This skimming device shall be controlled using a timer, FOG sensor, or other means of automatic operation. FOG Recovery Units operated by timer shall be set to operate no less than once per day. (5) FOG Recovery Units shall be included with an internal or external flow control device.

(6) FOG Recovery Units shall be located to permit frequent access for maintenance, and inspection.

D. Inspections of a FOG Recovery Unit may be conducted by the Chatham Health District at the expense of the Contact Person or property owner and in accordance with all criteria set forth by the Water Pollution Control Authority in approving the application for the system.

## **Section 7. Pretreatment Equipment Maintenance**

A. The FOG Pretreatment System shall be maintained continuously in satisfactory and effective operation, at the Food Preparation Establishment's expense.

B. The Contact Person shall be responsible for the proper removal and disposal, by appropriate means, of the collected material removed from the FOG Pretreatment System.

C. A record of all FOG Pretreatment System maintenance activities shall be maintained on the premises for a minimum of five (5) years.

D. The Contact Person shall ensure that the FOG Interceptor is inspected when pumped to ensure that all fittings and fixtures inside the interceptor are in good condition and functioning properly. The depth of grease inside the tank shall be measured and recorded

in the maintenance log during every inspection along with any deficiencies, and the identity of the inspector.

E. The Contact Person shall determine the frequency at which its FOG Interceptor(s) shall be pumped according to the following criteria:

(1) The FOG Interceptor shall be completely cleaned by a licensed waste hauler when 25% of the operating depth of the FOG Interceptor is occupied by grease and settled solids, or a minimum of once every three (3) months, whichever is more frequent.

(2) If the Contact Person can provide data demonstrating that less frequent cleaning of the FOG Interceptor will not result in a grease level in excess of 25% of the operating depth of the FOG Interceptor, the Water Pollution Control Authority may allow less frequent cleaning. The Contact Person shall provide data including pumping receipts for four (4) consecutive cleanings of the FOG Interceptor, complete with a report from the FOG hauler indicating the grease level at each cleaning, and the FOG Interceptor maintenance log.

(3) A maintenance log shall be maintained on the premises, and shall include the following information: dates of all activities, volume pumped, grease depth, hauler's name, location of the waste disposal, means of disposal for all material removed from the FOG Interceptor, and the name of the individual recording the information. The maintenance log and waste hauler's receipts shall be made available to the Water Pollution Control Authority for inspection on demand. Interceptor cleaning and inspection records shall be maintained on file a minimum of five (5) years.

F. All removal and hauling of the collected materials must be performed by State approved waste disposal firms. Pumped material shall be disposed of at a Regional FOG Disposal Facility. Pumping shall include the complete removal of all contents, including floating materials, wastewater and settled sludge. Decanting back into the FOG Interceptor shall not be permitted. FOG interceptor cleaning shall include scraping excessive solids from the wall, floors, baffles and all piping.

G. The Contact Person shall determine the frequency at which its FOG Recovery Unit shall be inspected, cleaned and maintained in accordance with the following criteria:

(1) Active FOG Recovery Unit(s) must be properly vented and energized at all times. Units must be hardwired to prevent accidental unplugging of the units.

(2) Active FOG Recovery Unit(s) must be operated and cleaned every day that the facility is operating. A maintenance log must be maintained and include the date and time of each individual cleaning and must be posted in a visible inspection for inspection.

(3) The screening basket, skimmer wheel, skimmer motor, wiper blades and flow diversion baffles must be installed in their correct position and operational at all times.

(4) If so equipped, the heater element(s) must be operated and checked daily. The heating element(s) should energize per manufacturer specifications. No manual override is allowed.

(5) All collected material (Renderable FOG) from the FOG Recovery Unit must be stored in an appropriate container labeled Renderable FOG and protected from spills and overflow vermin in a designated location. A maintenance log must be posted in a visible location for inspection, documenting the final disposition of the collected material, including the name of the renderer, date, time, and volume removed. This allows tracking from source to disposal.

(6) All installation and maintenance recommendations by the manufacturer of the unit must be complied with at all times.

H. The Contact Person or property owner shall be responsible for all costs and the scheduling of the installation of FOG Pretreatment System components. The Water Pollution Control Authority must inspect the final installation, and the Contact Person or property owner must contact the Water Pollution Control Authority to arrange the inspection, with 24 hours advance notice.

I. The Contact person or property owner shall be responsible for all costs associated with Section 7 requirements (Pretreatment Equipment Maintenance).

**Section 8. FOG Minimization.**

A. The Contact Person shall make every practical effort to reduce the amount of FOG contributed to the sewer system.

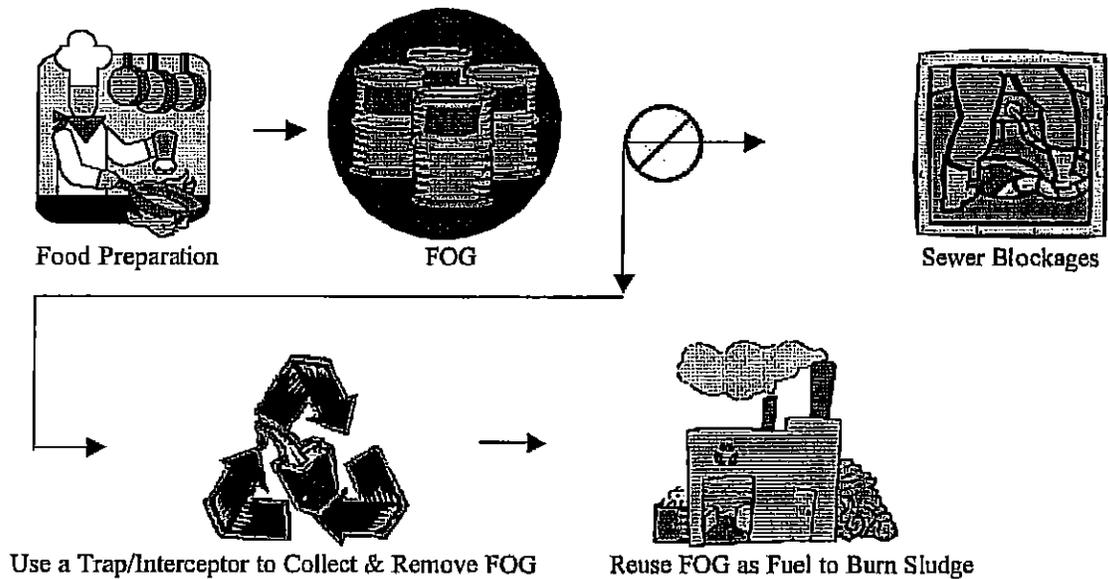
B. Small quantities of FOG scraped or removed from pots, pans, dishes and utensils shall be directed to the municipal solid waste stream for disposal.

Approved and recommended to Town Council by a vote of 6 to 0 WPCA meeting November 6, 2012



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATER MANAGEMENT  
PLANNING & STANDARDS DIVISION  
860-424-3704

# General Permit for the Discharge of Wastewater Associated With Food Preparation Establishments



Issuance Date: September 30, 2005

Printed on recycled paper

# General Permit for the Discharge of Wastewater Associated With Food Preparation Establishments

## Table of Contents

<b>Section 1.</b>	<b>Authority</b> .....	<b>3</b>
<b>Section 2.</b>	<b>Definitions</b> .....	<b>3</b>
<b>Section 3.</b>	<b>Authorization Under This General Permit</b> .....	<b>5</b>
	(a) Eligible Activities.....	5
	(b) Requirements for Authorization .....	6
	(c) Geographic Area.....	6
	(d) Effective Date and Expiration Date of This General Permit .....	6
	(e) Effective Date of Authorization.....	6
	(f) Revocation of an Individual Permit .....	6
	(g) Issuance of an Individual Permit .....	7
<b>Section 4.</b>	<b>Registration Requirements</b> .....	<b>7</b>
<b>Section 5.</b>	<b>Conditions of This General Permit</b> .....	<b>7</b>
	(a) Compliance Schedule .....	7
	(b) Treatment Requirements .....	7
	(c) Effluent Limitations.....	11
	(d) Pollution Prevention/Best Management Practices (BMP) .....	12
	(e) Reporting and Record Keeping Requirements .....	13
	(f) Recording and Reporting Violations .....	13
	(g) Regulations of Connecticut State Agencies Incorporated Into This General Permit.....	14
	(h) Duty to Correct and Report Violations .....	15
	(i) Duty to Provide Information.....	15
	(j) Certification of Documents.....	15
	(k) Date of Filing.....	15
	(l) False Statements.....	16
	(m) Correction of Inaccuracies .....	16
	(n) Other Applicable Law .....	16
	(o) Other Rights .....	16
	(p) Change in Ownership or Permittee .....	16
<b>Section 6.</b>	<b>Commissioner's Powers</b> .....	<b>17</b>
	(a) Abatement of Violations.....	17
	(b) General Permit Revocation, Suspension, or Modification.....	17
	(c) Filing of an Individual Permit Application.....	17

# General Permit for the Discharge of Wastewater Associated With Food Preparation Establishments

## Section 1. Authority

This general permit is issued under the authority of Section 22a-430b of the General Statutes.

## Section 2. Definitions

Terms used in this general permit shall have the same definitions as contained in Section 22a-423 of the General Statutes and Section 22a-430-3(a) of the Regulations of Connecticut State Agencies. As used in this general permit, the following definitions shall apply:

*"Authorized activity"* means any activity authorized by this general permit.

*"Authorized agent"* means the water pollution control authority or its designee. In municipalities where no water pollution control authority exists, the authorized agent shall be the local building official.

*"Authorized discharge"* means a discharge authorized under this general permit.

*"AGR<sup>U</sup>"* or *"Automatic grease recovery unit"* means an interior grease interceptor that separates grease from the wastewater by active mechanical or electrical means.

*"BMP" or "Best management practice"* means a practice, procedure, structure or facility designed to prevent or minimize environmental damage, or to maintain or enhance environmental quality. BMPs include without limitation, treatment requirements, operating procedures, practices to control spillage or leaks, sludge or waste disposal, or providing for drainage from raw material storage.

*"Change in ownership"* means a change in warranty deed or lease agreement.

*"Commissioner"* means commissioner as defined by Section 22a-2(b) of the General Statutes.

*"Department"* means the department of environmental protection.

*"Facility"* means any food preparation establishment at which an authorized discharge originates.

*"Fats, oils and grease" or "FOG"* means any fats, oils and grease generated from the food preparation process.

*"Food preparation establishment"* means a Class III and IV food service establishment as defined by Section 19-13-B42 of the State of Connecticut Public Health Code or any other facility discharging fats, oil, and grease above the effluent limits in Section 5(c)(2) of this general permit such as but not limited to restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.

*"General Statutes"* means the Connecticut General Statutes.

*"Grease trap/interceptor"* means any device or equipment designed to separate fats, oils and grease from wastewater while allowing water to flow through.

*"Grease trap/interceptor cleaner"* means any person regularly offering to the general public services of cleaning or servicing of grease trap/interceptors including the removal and hauling of fats, oils, grease, and food wastes which are components of sewage.

*"Individual permit"* means a permit issued to a named permittee under Section 22a-430 of the General Statutes.

*"Local building official"* means the municipal officer or other designated authority charged with the administration and enforcement of the State Building Code in accordance with Section 29-253 of the General Statutes or a duly authorized representative.

*"Maximum daily flow"* means the greatest volume of wastewater that is discharged during a 24-hour period.

*"Municipality"* means municipality as defined by Section 22a-423 of the General Statutes.

*"Non-renderable"* means fats, oils and grease generated from the food preparation processes that have been contaminated with other materials, thereby prohibiting this material from being rendered.

*"Permittee"* means a person who or municipality which is authorized by this general permit to initiate, create, originate or maintain a wastewater discharge containing fats, oils and grease at a food preparation establishment.

*"Person"* means person as defined by Section 22a-423 of the General Statutes.

*"POTW"* means Publicly Owned Treatment Works.

*"POTW authority"* means the Superintendent or Chief Operator of the Publicly Owned Treatment Works.

*"Regional collection/transfer/disposal site"* means a facility approved in accordance with law for the collection, transfer or disposal of fats, oils, grease and food waste which in Connecticut means a POTW or privately owned treatment works that is approved by the commissioner for the transfer, separation or disposal by incineration or other methods of fats, oils, grease and food waste from the wastewater of a facility. Pursuant to Section 22a-174-33 of the Regulations of Connecticut State Agencies related to Title V Sources, an in-state regional incinerator must have an operating permit that lists FOG as a source of fuel.

*"Render"* means the process used to clarify or extract fats, oils and greases by melting.

*"Renderable FOG"* means uncontaminated fats, oils and grease from the food preparation process that can be used as a source of material that is free of impurities and can be recycled into products such as animal feed and cosmetics.

*"Renderer"* means a person who collects and manages renderable FOG.

*"Renovation"* means any physical modification of the facility's food preparation area, food service area and/or dining area in excess of \$20,000 in any one calendar year or a cumulative total in excess of \$40,000 commencing from the effective date of this general permit to the compliance date of July 1, 2011, as established in Section 5(a)(2) of this general permit. The dollar value shall be the sum of all renovations for all building permits issued to the facility in a calendar year or from the effective date of this general permit to the compliance date of July 1, 2011, for the food preparation, floor service and dining areas, as determined by the local building official.

*"Site"* means geographically contiguous land or water on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

*"Wastewater associated with a facility"* means wastewater containing fats, oils and grease from a food preparation establishment.

*"Water pollution control authority"* means a water pollution control authority established pursuant to Section 7-246 of the Connecticut General Statutes.

### **Section 3. Authorization Under This General Permit**

#### **(a) Eligible Activities**

The following discharge of wastewater associated with a facility, as defined in this general permit, is authorized by this general permit, provided the requirements of subsection (b) of this section and the conditions of Section 5 of this general permit are satisfied:

Any wastewater discharge associated with a facility which discharges to a sanitary sewer line and then to a POTW or a privately owned or State owned sewage treatment works.

Any other discharge of water, substance or material into the waters of the State is not authorized by this general permit, and any person who or municipality which initiates, creates, originates or maintains such a discharge shall first apply for and obtain authorization under Sections 22a-430 or 22a-430b of the General Statutes.

**(b) *Requirements for Authorization***

This general permit authorizes the discharge listed in subsection (a) of this section provided:

(1) The grease trap/interceptor, AGRU, or other approved unit is installed in accordance with local ordinances.

(2) Coastal Area Management

Such discharge is consistent with all applicable goals and policies in Section 22a-92 of the General Statutes, and will not cause adverse impacts to coastal resources as defined in Section 22a-93 of the General Statutes.

(3) Endangered and Threatened Species

Such discharge does not threaten the continued existence of any species listed pursuant to Section 26-306 of the General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species.

(4) Code of Federal Regulations

Such discharge is not subject to any provision of Title 40, Parts 403 through 471 of the Code of Federal Regulations.

**(c) *Geographic Area***

This general permit applies throughout the State of Connecticut for all sites connected to sanitary sewers.

**(d) *Effective Date and Expiration Date of This General Permit***

This general permit is effective on the date it is issued by the commissioner, and expires ten (10) years from such date of issuance.

**(e) *Effective Date of Authorization***

An activity is authorized by this general permit on the date the general permit becomes effective or on the date the activity commences, whichever is later.

**(f) *Revocation of an Individual Permit***

If a discharge which is eligible for authorization under this general permit is presently authorized by an individual permit, such individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such discharge under this general permit.

**(g) Issuance of an Individual Permit**

If the commissioner issues an individual permit for a discharge authorized by this general permit, this general permit shall cease to authorize that discharge as of the date such individual permit is issued.

**Section 4. Registration Requirements**

No registration is required with the department for authorization under this general permit.

**Section 5. Conditions of This General Permit**

**(a) Compliance Schedule**

A permittee shall assure that every authorized discharge is conducted in accordance with the following schedule:

- (1) A facility, which begins discharging after the effective date of this general permit, shall comply with all conditions of this general permit before initiating such discharge.
- (2) A facility, which began discharging on or before the effective date of this general permit, with a grease trap/interceptor not in compliance with Section 5(b) of this general permit shall comply with all conditions of this general permit no later than July 1, 2011 with the following exceptions:
  - (A) A change in ownership of the facility shall require compliance with all conditions of this general permit within 60 days of the change in ownership.
  - (B) A renovation of the facility shall require compliance with all conditions of this general permit as part of the renovation.
  - (C) The authorized agent may, as necessary, designate any area or areas of its sewer system as a problem area related to fats, oils and grease. Such designation shall be by a formal action of the authorized agent and shall be based upon evidence of excessive fats, oils and grease including sanitary sewer overflows, excessive maintenance or any means of inspection. Upon notification by the authorized agent, any facility within the problem area designation shall comply with all conditions of this general permit within a reasonable time schedule established by the authorized agent.

**(b) Treatment Requirements**

An authorized discharge shall meet the specifications in either (1) or (2) of this subsection; however, the permittee may request the use of other units as established in Section 5(b)(3) of this general permit.

- (1) Outdoor In-Ground Grease Trap/Interceptor
  - (A) The grease trap/interceptor shall be installed on a separate building sewer line servicing kitchen flows and shall be connected to those fixtures or drains which would allow fats, oils, and grease to be discharged. This shall include:
    - (i) pot sinks;
    - (ii) pre-rinse sinks;
    - (iii) any sink into which fats, oils, or grease are likely to be introduced;
    - (iv) soup kettles or similar devices;
    - (v) wok stations;
    - (vi) floor drains or sinks into which kettles may be drained;
    - (vii) automatic hood wash units;
    - (viii) dishwashers without pre-rinse sinks; and
    - (ix) any other fixtures or drains that are likely to allow fats, oils and grease to be discharged.
  - (B) An outdoor, in-ground grease trap/interceptor shall have a minimum depth of four (4) feet and a minimum volume of:
    - (i) The volume equivalent to the maximum daily flow over a twenty-four (24) hour period from all fixtures connected to the grease trap/interceptor based on water meter records or other methods of calculation as approved by the authorized agent, or
    - (ii) 1000 gallons, whichever is greater.
  - (C) The grease trap/interceptor shall be watertight and constructed of concrete or other durable material. It shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the grease trap/interceptor. Grease trap/interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.
  - (D) If the grease trap/interceptor is constructed of concrete the following requirements shall apply:
    - (i) All concrete grease trap/interceptors shall be produced with minimum 4,000-psi concrete per ASTM standards with four (4) to seven (7) percent air entrainment.

- (ii) The minimum liquid depth of the grease trap/interceptor shall be thirty-six (36) inches, measured from the bottom of the tank to the outlet invert.
  - (iii) The air space provided between the liquid height and the underside of the tank top shall be a minimum of eight (8) inches.
  - (iv) All structural seams and/or lifting holes shall be grouted with non-shrinking cement or similar material and coated with a waterproof sealant. In areas where seasonal high ground water is at an elevation greater than the bottom of the grease trap/interceptor, but below the top of the grease trap/interceptor, the exterior of the grease trap/interceptor including the exterior top, sides and bottom shall be coated with a waterproof sealant creating a water tight condition for the tank. In areas where seasonal high ground water is at an elevation greater than the top of the grease trap/interceptor, the exterior of the manhole extensions to grade shall be coated with a waterproof sealant creating a watertight condition for the extension.
  - (v) The invert elevation of the inlet shall be between three (3) inches and six (6) inches above the invert elevation of the outlet.
- (E) All non-concrete tanks shall meet the requirements set forth in Sections 5(b)(1)(C) and 5(b)(1)(D)(ii), (iii), and (v) of this general permit.
- (F) Separate cleanout covers shall be provided over the inlet and outlet of the grease trap/interceptor so as to provide easy access for inspection and cleaning. Cleanout ports shall be fitted with manhole extensions to grade. In areas subject to traffic, the extensions shall be constructed of a material sufficient to withstand the traffic load. Where concrete covers are used, the lid must either weigh a minimum of fifty-nine (59) pounds or contain a locking mechanism to prevent unauthorized entrance. The manholes, extensions, and inlet and outlet access holes to the grease trap/interceptor shall have a minimum inside diameter of seventeen (17) inches.
- (G) The inlet and outlet piping shall be PVC ASTM D 1785 Schedule 40 with rubber compression gaskets or solvent weld couplings. The joints must meet ASTM D 3212 specifications. The authorized agent may approve other piping materials for use. The minimum diameter of the inlet and outlet piping shall be four (4) inches. The inlet and outlet shall utilize a tee-pipe fitting on the interior of the grease trap/interceptor. The tee-pipe of the inlet and outlet shall extend to within twelve (12) inches of the bottom and at least five (5) inches above the static liquid level of the tank.
- (H) The grease trap/interceptor shall be set level on a consolidated, stable base so that no settling or tipping of the grease trap/interceptor can occur.

- (I) The outlet discharge line from the grease trap/interceptor shall be directly connected to a sanitary sewer.
  - (J) No fixture or drain other than those listed in subsection (b)(1)(A) of this section shall be connected to the grease trap/interceptor unless approved by the authorized agent.
  - (K) The grease trap/interceptor shall be located so as to maintain separation distances from well water supplies based on flow at the distances set forth in Section 19-13-B51d of the Public Health Code.
  - (L) Minimum separation distances shall be maintained between the grease trap/interceptor and items such as but not limited to buildings, watercourses, drains, etc. as listed in local municipal ordinances.
  - (M) Should the authorized agent notify the permittee that testing is required, the testing shall be performed in either one of the following manners:
    - (i) Vacuum Test - Seal the empty tank and apply a vacuum to four (4) inches (50mm) of mercury. The tank is acceptable if 90% of vacuum is held for two (2) minutes.
    - (ii) Water-Pressure Test - Seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is acceptable if the water level is held for one (1) hour.
- (2) Automatic Grease Recovery Unit (AGRU)
- The AGRU shall meet the following requirements:
- (A) An AGRU(s) shall be installed immediately downstream of each fixture or multiple fixtures listed in subsection (b)(1)(A) of this section.
  - (B) The AGRU shall be sized to properly pre-treat the measured or calculated flows for all connected fixtures or drains.
  - (C) The AGRU shall be constructed of corrosion-resistant material such as stainless steel or plastic.
  - (D) Solids shall be intercepted and separated from the effluent flow using an internal or external strainer mechanism. This mechanism shall be an integral part of the unit.
  - (E) The unit shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated fats and oils. This automatic skimming device shall be either hard wired or cord & plug connected electrically and controlled using a timer or level control. The operation of the

automatic skimming device shall be field adjustable. The AGRU shall operate no less than once per day.

- (F) The AGRU shall be fitted with an internal or external flow control device to prevent the exceedence of the manufacturer's recommended design flow.
- (G) The AGRU shall be located so as to permit easy access for maintenance.
- (H) No fixture or drain other than those listed in subsection (b)(1)(A) of this section shall be connected to the AGRU unless approved by the authorized agent.
- (I) All AGRUs shall be designed and installed in accordance with the manufacturer's specifications.

(3) Other Approved Unit

If the permittee requests the use of a unit other than an outdoor in-ground grease trap/interceptor or an AGRU, the proposed permittee must demonstrate that the other unit can reliably meet the effluent limitations established in Section 5(c) of this general permit. Only after receiving written approval by the authorized agent will the permittee be authorized to install the unit.

(4) Diminimus Discharges

At the request of the permittee, the authorized agent may grant a waiver of the treatment requirements of Sections 5(b)(1) through 5(b)(3), inclusive, of this general permit if, in the judgment of the authorized agent, there is limited potential for FOG in the discharge when considering, including but not limited to, the frequency of operation, the volume of flow and the potential for fats, oils and grease based upon the menu.

*(c) Effluent Limitations*

- (1) At no time shall the pH of the wastewater discharged from the grease trap/interceptor, AGRU or other approved unit and prior to mixing with any other wastewater from the facility be less than five (5.0) nor greater than ten (10.0) standard units at any time.
- (2) At no time shall the concentration of fats, oils, and grease in wastewater from the grease trap/interceptor, AGRU, or other approved unit and prior to mixing with any other wastewater from the facility exceed 100 milligrams per liter. All analyses shall be conducted according to the current method as listed in Title 40 CFR 136 or as approved in writing by the department. The current method, as of 2005, is EPA 1664.

**(d) *Pollution Prevention/Best Management Practices (BMP)***

- (1) No valve or piping bypass equipment that could prevent the discharge of wastewater associated with the facility from entering appropriate treatment equipment shall be present at such facility.
- (2) Renderable fats, oils, and grease shall only be disposed of in separate storage containers for recycling by a renderer. No renderable fats, oils, and grease shall be discharged into grease trap/interceptors or AGRUs, sanitary sewers, dumpsters or storm sewers.
- (3) At a minimum, the permittee shall perform quarterly inspections of all grease trap/interceptors.
- (4) An outdoor in-ground grease trap/interceptor shall be completely emptied by a grease trap/interceptor cleaner whenever 25% of the operating depth of the grease trap/interceptor is occupied by fats, oils, grease and settled solids or a minimum of once every three (3) months whichever is more frequent. The permittee may request approval for a less frequent cleaning interval from the authorized agent following a minimum one-year of operation of the grease trap/interceptor. The permittee shall be required to show through at least four quarterly inspections or other means of determining fats, oils, grease and settled solids that the operating depth of the grease trap/interceptor occupied by fats, oils, grease and settled solids is less than 25% during each of the three-month intervals. The authorized agent may extend the minimum frequency of cleaning in writing beyond three (3) months based upon the quarterly inspections. The permittee shall maintain a written log on-site of grease trap/interceptor cleaning and maintenance, shall maintain copies of the grease trap/interceptor cleaner's receipts and shall maintain a copy of such approval for five (5) years.
- (5) For cleaning or servicing of grease trap/interceptors, including the removal and hauling of fats, oils, grease, and food wastes which are components of sewage, the permittee shall hire a grease trap/interceptor cleaner.
- (6) All AGRUs shall be maintained in accordance with the manufacturer's recommendations.
- (7) For disposal in Connecticut, the contents of all grease trap/interceptors, AGRUs and other approved units shall be disposed of at a regional collection/transfer/disposal site. For disposal outside of Connecticut, the contents of all grease trap/interceptors, AGRUs and other approved units shall be disposed of in an environmentally accepted manner.
- (8) The permittee may use hot water, steam, chemicals, or biological additives in the normal course of facility maintenance, but may not intentionally use hot water, steam, physical means, chemicals, or biological additives that will cause the release of fats, oils, and grease from the grease trap/interceptor.

- (9) No food grinder or food pulper shall discharge to any grease trap/interceptors, AGRUs or other approved units.
- (10) All wastewater flows connected to the grease trap/interceptors shall be screened to prevent solids from entering the treatment units. Screened solids shall be disposed of in accordance with applicable solid waste regulations.

***(e) Reporting and Record Keeping Requirements***

- (1) A written log of all inspections required pursuant to subsections (d)(3) and (d)(4) of this section shall be maintained for each discharge authorized by this general permit. The log shall document:
  - (A) the date of the inspection;
  - (B) the inspector's name, title and signature;
  - (C) the depth, as measured at the time of the inspection, of fats, oils, grease and food waste located within the grease trap/interceptor; and
  - (D) any maintenance work or changes in equipment associated with such discharge that has taken place at the site since the last inspection.
- (2) Except as provided in subsection (e)(1) of this section, the permittee shall retain, for a period of five (5) years at the subject facility, all inspections, cleaning and maintenance logs and analytical results from any monitoring elected to be done by the permittee. All records and reports shall be made available in writing to the authorized agent upon request.
- (3) Immediately upon learning or having reason to believe that an authorized discharge may cause or has caused a sewer blockage or may adversely affect the operations of a POTW, the permittee shall notify the POTW Authority.
- (4) Records required under this subsection as well as installation of a grease trap/interceptor as specified in either Section 5(b)(1), Section 5(b)(2), or Section 5(b)(3) of this general permit shall be sufficient to demonstrate compliance with the effluent limits established in Sections 5(c)(1) and 5(c)(2) of this general permit.

***(f) Recording and Reporting Violations***

- (1) If any analytical results from monitoring data elected to be done by the permittee or other information indicates that a violation of an effluent limitation or another condition of this general permit has occurred, the permittee shall immediately take steps to identify and correct any and all conditions causing or contributing to such violation. A log of such violations shall be maintained on site and contain, at a minimum, the following information:
  - (A) The permit condition(s) or effluent limitation(s) violated;

- (B) The analytical results or other information demonstrating such violation;
  - (C) The cause of the violation, if known;
  - (D) Dates and times during which the violation continued;
  - (E) If the violation was not corrected immediately upon being discovered, the anticipated time it is expected to continue; and upon correction, the date and time of correction;
  - (F) Steps taken and planned to reduce, eliminate and prevent a reoccurrence of the violation, and the dates such steps have been or will be executed; and
  - (G) The name, title and signature of the individual recording the information and the date and time of such recording.
- (2) If any analytical results indicate the pH exceeds the limitation listed in subsection (c)(1) of this section by greater than one unit or lower than one unit, or that fats, oils, and grease exceed the limitation listed in subsection (c)(2) of this section, the permittee shall immediately notify the POTW Authority.

**(g) *Regulations of Connecticut State Agencies Incorporated Into This General Permit***

The permittee shall comply with all applicable law, including without limitation the following Regulations of Connecticut State Agencies, which are hereby incorporated into this general permit as if fully set forth herein:

- (1) Section 22a-430-3: General Conditions
  - Subsection (b) General - subparagraph (1)(D) and subdivisions (2), (3), (4), and (5)
  - Subsection (c) Inspection and Entry
  - Subsection (d) Effect of a Permit - subdivisions (1) and (4)
  - Subsection (e) Duty to Comply
  - Subsection (f) Proper Operation and Maintenance
  - Subsection (g) Sludge Disposal
  - Subsection (h) Duty to Mitigate
  - Subsection (i) Facility Modifications, Notification - subdivisions (1) and (4)
  - Subsection (j) Monitoring, Records and Reporting Requirements - subsections (1), (6), (7), (8), (9) and (11) [except subparagraphs (9)(A)(2), and (9)(C)]
  - Subsection (k) Bypass
  - Subsection (m) Effluent Limitation Violations
  - Subsection (n) Enforcement
  - Subsection (o) Resource Conservation
  - Subsection (p) Spill Prevention and Control
  - Subsection (q) Instrumentation, Alarms, Flow Recorders
  - Subsection (r) Equalization

(2) Section 22a-430-4: Procedures and Criteria

Subsection (p) Permit Revocation, Denial, or Modification

Subsection (t) Discharges to POTWs - Prohibitions

Appendices

**(h) *Duty to Correct and Report Violations***

Upon learning of a violation of a condition of this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner and POTW Authority within five (5) days of the permittee's learning of such violation. Such report shall be certified in accordance with subsection (j) of this section.

**(i) *Duty to Provide Information***

If the commissioner requests any information pertinent to the authorized discharge or to compliance with this general permit, the permittee shall provide such information within thirty (30) days of such request. Such information shall be certified in accordance with subsection (j) of this section.

**(j) *Certification of Documents***

Any document, including but not limited to any notice, information or report, which is submitted to the department under this general permit shall be signed by the permittee or by a duly authorized representative of the permittee in accordance with Section 22a-430-3(b)(2)(A) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute."

**(k) *Date of Filing***

For purposes of this general permit, the filing date of any document is the date such document is received by the department. The word "day" as used in this general permit means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

**(l) *False Statements***

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with Section 22a-6, under Section 53a-157b of the General Statutes.

**(m) *Correction of Inaccuracies***

Within fifteen days after the date a permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with subsection (j) of this section.

**(n) *Other Applicable Law***

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

**(o) *Other Rights***

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

**(p) *Change in Ownership or Permittee***

Upon a change in the ownership or the permittee of a food preparation establishment, the new owner or permittee shall comply with the requirements of Section 3(b), the compliance schedule of Section 5(a) and the operating conditions of Sections 5(b) through (o), inclusive, of this general permit.

## Section 6. Commissioner's Powers

### *(a) Abatement of Violations*

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with Sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

### *(b) General Permit Revocation, Suspension, or Modification*

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

### *(c) Filing of an Individual Permit Application*

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit if he wishes to continue lawfully conducting the discharge authorized by this general permit, the permittee may continue conducting such discharge only if he files an application for an individual permit within thirty (30) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall comply with the terms and conditions of this general permit. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued Date: September 30, 2005

GINA McCARTHY.

Commissioner

This is a true and accurate copy of the general permit executed on September 30, 2005 by the Commissioner of the Department of Environmental Protection.

**Nancy Hasselman, CCMC  
Collector of Revenue  
Town of East Hampton**

November 9, 2012

To: The East Hampton Town Council

Documentation of tax refunds are available in the tax office for your review if you so desire. The total refunds equal \$2,201.07.

Thank you for your assistance.

*Nancy Hasselman, CCMC*

Nancy Hasselman, CCMC  
Collector of Revenue

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86 • 72 +  
340 • 47 +  
44 • 67 +  
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